

EQC ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
June 14, 2007

BUREAU OF LAND AND WASTE MANAGEMENT

Underground Storage Tank Enforcement

- 1) Order Type and Number: Consent Order 06-0689-UST
 Order Date: February 9, 2006
 Respondent: **Larry Sanders, Sr., and**
 James Sanders
 Facility: Food Shoppe
 Location/Mailing Address: 1300 Highway 501 Business
 Conway, S.C. 29526
 County: Horry
 Previous Orders: None
 Permit/ID Number: 10327
 Violations Cited: UST Control Regulations R.61-92,
 §280.10(e); R.61-92, §280.31(a), R.61-92, §280.34(c).

Summary: Larry Sanders, Sr. and James Sanders (Respondent) owns and operates underground storage tanks and has violated the South Carolina Underground Storage Tank Control Regulations as follows: introduction of petroleum or production products into an underground storage tank system for which the owner does not hold a current valid registration; failure to operate and maintain the corrosion protection equipment continuously; and, failure to provide records to the Department upon request.

Action: The Respondent has agreed to correct the violations and pay a civil penalty in the amount of one thousand, four hundred dollars (**\$1,400.00**).

- 2) Order Type and Number: Consent Order 06-0708-UST
 Order Date: February 15, 2006
 Respondent: **James L. Pasley Jr. d. b. a.**
 Pasley & Sons Variety Store
 Facility: Pasley & Sons Variety Store
 Location/Mailing Address: 2968 Hwy 41/45
 Hemingway, S.C. 29554
 County: Williamsburg
 Previous Orders: None
 Permit/ID Number: 14949

Violations Cited: UST Control Regulations R.61-92, §280.31(a); R.61-92, §280.40(a); R.61-92, §280.34(c).

Summary: James L. Pasley Jr. d. b. a. Pasley & Sons Variety Store (Respondent) owns and operates underground storage tanks and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to operate and maintain corrosion protection equipment continuously; failure to provide an adequate release detection method; and, failure to provide records to the Department upon request.

Action: The Respondent has agreed to correct the violations and pay a civil penalty in the amount of one thousand, four hundred dollars (**\$1,400.00**).

3) Order Type and Number: Consent Order 06-0739-UST
Order Date: February 9, 2006
Respondent: **B & B Convenience Stores, Inc.**
Facility: Kwik Fill 25
Location/Mailing Address: 1209 Highway 17 South
North Myrtle Beach, S.C. 29582
County: Horry
Previous Orders: None
Permit/ID Number: 17785
Violations Cited: UST Control Regulations R.61-92, §280.40(a); R.61-92, §280.34(c).

Summary: B & B Convenience Stores, Inc. (Respondent) owns and operates underground storage tanks and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide an adequate release detection method; and, failure to provide records to the Department upon request.

Action: The Respondent has corrected the violations and paid a civil penalty in the amount of six hundred dollars (**\$600.00**).

4) Order Type and Number: Consent Order 06-0784-UST
Order Date: February 15, 2006
Respondent: **Sunhouse Petroleum, LLC**
Facility: Sunhouse Petroleum 10
Location/Mailing Address: 2930 Hwy 501 South
Aynor, S.C. 29511
County: Horry
Previous Orders: None
Permit/ID Number: 04939
Violations Cited: UST Control Regulations R.61-92, §280.31(c); R.61-92, §280.40(a); R.61-92, §280.34(c).

Summary: Sunhouse Petroleum, LLC (Respondent) owns and operates underground storage tanks and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to inspect the impressed current system every 60 days; failure to provide an adequate release detection method; and, failure to provide records to the Department upon request.

Action: The Respondent has agreed to correct the violations and pay a civil penalty in the amount of nine hundred dollars (**\$900.00**).

- 5) Order Type and Number: Consent Order 06-0846-UST
 Order Date: February 9, 2006
 Respondent: **Ray Spearman**
 Facility: Jake's Stop N Shop #1
 Location/Mailing Address: 8811 Augusta Road
 Pelzer, S.C. 29669

 County: Greenville
 Previous Orders: None
 Permit/ID Number: 16193
 Violations Cited: UST Control Regulations R.61-92,
 §280.20(e); R.61-92, §280.31(a), R.61-92, §280.40(a); R.61-92, 280.34(c).

Summary: Ray Spearman (Respondent) owns and operates underground storage tanks and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to install an underground storage tank system in accordance with accepted codes and standards; failure to operate and maintain the corrosion protection equipment continuously; failure to provide an adequate release detection method; and, failure to provide records to the Department upon request.

Action: The Respondent has agreed to correct the violations and has paid a civil penalty in the amount of one thousand, one hundred dollars (**\$1,100.00**).

- 6) Order Type and Number: Consent Order 06-0844-UST
 Order Date: February 9, 2006
 Respondent: **Aksharpati, Inc.**
 Facility: Lake Sonoco
 Location/Mailing Address: 17865 Highway 72 West
 Waterloo, S.C. 29384

 County: Laurens
 Previous Orders: None
 Permit/ID Number: 15687
 Violations Cited: UST Control Regulations R.61-92,
 §280.20(e); R.61-92, §280.40(a); R.61-92, §280.34(c).

Summary: Aksharpati, Inc. (Respondent) owns and operates underground storage tanks and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to install an underground storage tank system in accordance with accepted codes and standards; failure to provide an adequate release detection method; and, failure to provide records to the Department upon request.

Action: The Respondent has corrected the violations and paid a civil penalty in the amount of eight hundred dollars (**\$800.00**).

7) Order Type and Number: Consent Order 06-0855-UST
 Order Date: February 9, 2007
 Respondent: **Spinx Company, Inc.**
 Facility: Spinx 157
 Location/Mailing Address: 7605 Hwy. 76/PO Box 8624
 Pendleton, SC/Greenville, SC 29604
 County: Anderson
 Previous Orders: None
 Permit/ID Number: 10863
 Violations Cited: UST Control Regulations, R.61-92,
 §280.20(e)

Summary: Spinx Company, Inc. (Respondent) owns and operates underground storage tanks and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to install piping in accordance with accepted codes and standards.

Action: The Respondent has corrected the violations and paid the two hundred dollar (**\$200.00**) civil penalty in full.

8) Order Type and Number: Consent Order 06-0881-UST
 Order Date: February 28, 2006
 Respondent: **Lucky Strike Amusements, LLC**
 Facility: Corner Stop 99
 Location/Mailing Address: 919 Wade Hampton Blvd.
 Greer, S.C. 29651
 County: Greenville
 Previous Orders: None
 Permit/ID Number: 11079
 Violations Cited: UST Control Regulations R.61-92,
 §280.31(b); R.61-92, §280.34(c).

Summary: Lucky Strike Amusements, LLC (Respondent) owns and operates underground storage tanks and has violated the South Carolina

Underground Storage Tank Control Regulations as follows: failure to have the cathodic protection system inspected by a qualified tester every three (3) years; and, failure to provide records to the Department upon request.

Action: The Respondent has corrected the violation and has agreed to pay a civil penalty in the amount of four hundred dollars (**\$400.00**).

- 9) Order Type and Number: Consent Order 07-0005-UST
 Order Date: February 15, 2006
 Respondent: **Crudup Oil Company, Inc.**
 Facility: Corner Stop Shell
 Location/Mailing Address: 1205 Northeast Main Street
 Simpsonville, S.C. 29681

 County: Greenville
 Previous Orders: None
 Permit/ID Number: 17420
 Violations Cited: UST Control Regulations R.61-92,
 §280.44(c).

Summary: Crudup Oil Company (Respondent) owns and operates underground storage tanks and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to check the sump sensor function annually; and, failure to provide records to the Department upon request.

Action: The Respondent has corrected the violations and has agreed to pay a civil penalty in the amount of three hundred dollars (**\$300.00**).

Solid Waste Enforcement

- 10) Order Type and Number: Consent Order 07-07-SW
 Order Date: February 20, 2007
 Respondent: **Colleton County Construction,
Demolition and Land-Clearing
Debris Landfill**

 Facility: N/A
 Location/Mailing Address: 3288 Green Pond Highway,
 Walterboro, SC/Post Office Box
 1882, Walterboro, SC 29488

 County: Colleton
 Previous Orders: 03-06-SW (\$1,800.00)
 Permit/ID Number: 151001-1201
 Violations Cited: South Carolina Solid Waste Policy
 and Management Act of 1991 (2002), Construction, Demolition and Land-

Clearing Debris Landfills, 25A S.C. Code Ann. Regs. 61-107.11 (Supp. 2005), Part IV, B.1., and Permit # 151001-1201, Permit Modification dated May 14, 2003.

Summary: Colleton County Construction, Demolition and Land-Clearing Debris Landfill (Respondent) exceeded the annual disposal tonnage limit for fiscal year 2005/2006. The annual disposal tonnage limit is 15,000 tons and the Respondent disposed of 17,409.39 tons.

Action: The Respondent must pay to the Department a civil penalty in the amount of one thousand eight hundred dollars (**\$1,800.00**). The civil penalty has been paid.

11)	<u>Order Type and Number:</u>	Consent Order 07-06-SW
	<u>Order Date:</u>	February 20, 2007
	<u>Respondent:</u>	Brice Milton Hunter, Manager, MH Carolinas Clearing & Grading, LLC, MH Carolinas Land-Clearing Debris Landfill
	<u>Facility:</u>	N/A
	<u>Location/Mailing Address:</u>	Old Calhoun Falls Highway, Calhoun Falls, SC/Post Office Box 278, Heath Springs, SC 29058
	<u>County:</u>	Abbeville
	<u>Previous Orders:</u>	N/A
	<u>Permit/ID Number:</u>	012755-1701
	<u>Violations Cited:</u>	South Carolina Solid Waste Policy and Management Act of 1991 (2002), Construction, Demolition and Land- Clearing Debris Landfills, 25A S.C. Code Ann. Regs. 61-107.11 (Supp. 2005), Part II, C., and the General Permit, Section IV, E.

Summary: Brice Milton Hunter; Manager, MH Carolinas Clearing & Grading LLC, MH Carolinas Land-Clearing Debris Landfill (Respondent) failed to send in the fiscal year (FY) annual report for 2005/2006 and failed to perform the administrative closure of the landfill.

Action: The Respondent must submit to the Department all documents that verify that the administrative closure of the landfill has been completed and submit to the Department the FY 2005/2006 annual report; and, pay to the Department a civil penalty in the amount of two thousand dollars (**\$2,000.00**). The administrative closure landfill documents and the FY annual report have been submitted to the Department and permitting has closed out the permit for the facility by letter to the Respondent.

12) Order Type and Number: Consent Order 07-09-SW
Order Date: March 2, 2007
Respondent: **Verbe Temples d.b.a. Temples Auto Parts**
Location/Mailing Address: 7303 Two Notch Road
 Batesburg, SC 29006
County: Lexington
Previous Orders: none
Permit/ID Number: none
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991 (2002) (Act), Waste Tires Regulation, 25A S.C. Code Ann. Reg. (Supp. 2004) 61-107.3.E.1. and E.3.; Municipal Solid Waste Landfills Regulation, 25A S.C. Code Ann. Reg. (Supp. 2004) 61-107.258.1g., h., and i.; Construction, Demolition and Land-Clearing Debris Landfills Regulation, 25A S.C. Code Ann. Reg. (Supp. 2004) 61-107.11, Part IV, A.8.; and the Pollution Control Act, S.C. Code Ann. § 48-1-90(a) (1987).

Summary: Verbe Temples d.b.a. Temples Auto Parts (Respondent) operates an automobile junkyard (Site) and disposed of over fifty thousand (50,000) waste tires at the Site without a permit; disposed of municipal solid waste (MSW) and miscellaneous solid wastes at the Site without a permit; and disposed of construction and demolition (C&D) debris at the Site without a permit.

Action: The Respondent must remove all waste tires and other solid wastes from the Site by June 30, 2008; to submit quarterly progress reports to the Department beginning March 30, 2007; and to pay to the Department a civil penalty of one thousand six hundred dollars (**\$1,600.00**) within thirty (30) days of the execution date of the Order. The Department has **suspended** the remainder of the assessed penalty, eighteen thousand nine hundred dollars (\$18,900.00), pending compliance with the Order.

13) Order Type and Number: Consent Order 07-10-SW
Order Date: March 21, 2007
Respondent: **William E. Bradley C & C Garage Site**
Facility: N/A
Location/Mailing Address: 810 Green Avenue, Greenville, SC/PO Box 1124, Mauldin, SC 29662
County: Greenville
Previous Orders: N/A
Permit/ID Number: N/A

Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991 (2002), S.C. Code Ann. §§ 44-96-100 & 44-96-160; Used Oil Regulation, 25A S.C. Code Ann. Regs. 61-107.279 12.h., 22.b., c., & d. (Supp. 2004).

Summary: William E. Bradley; C & C Garage Site (Respondent) current owner of the property where his father, William M. Bradley, allowed the unlawful disposal (spillage) and handling of uncovered and unlabeled containers of used oil on property he owned at 810 Green Avenue (Site) in Greenville, South Carolina, which was the site of an automotive shop. These activities constitute violations of the Used Oil Regulations.

Action: The Respondent must secure a company qualified to remediate the Site and submit a plan for approval; modify the plan, if needed, as directed by the Department; implement the plan to completion and submit sampling results and disposal receipts to the Department; and pay to the Department a civil penalty in the amount of one thousand three hundred twenty dollars (**\$1,320.00**) for the violations cited. The penalty is to be paid in four (4) equal installments of three hundred thirty dollars (\$330.00) each.

14) Order Type and Number: Consent Order 07-11-SW
Order Date: April 17, 2007
Respondent: **Town of Clio**
Facility: N/A
Location/Mailing Address: P.O. Box 487
Clio, SC 29525
County: Marlboro
Previous Orders: None
Permit/ID Number: None
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991 (2002) (Act), 25A S.C. Code Ann. Reg. (Regulation) (Supp. 2006) 61-107.258, Subpart A.258.1.g., h., and i.; and Reg. 61-107.11, Part IV, A.8. and B.1.

Summary: Town of Clio (Respondent) improperly disposed of land-clearing debris without a permit and allowed the disposal of municipal solid waste without a permit at a site in Marlboro County (Site).

Action: The Respondent is required to immediately cease unpermitted disposal activities at the Site and restrict access to the Site; to remove all solid wastes from the Site within one hundred twenty (120) days of the execution date of the Order; and to pay a civil penalty of two thousand dollars (**\$2,000.00**) to the Department in four (4) equal payments beginning April 30, 2007.

15) Order Type and Number: Consent Order 07-12-SW

Order Date: April 17, 2007
Respondent: **City of Mullins Construction, Demolition and Land-Clearing Debris Landfill**
Facility: N/A
Location/Mailing Address: 1725 Old Stag Road, Mullins, SC 29571/19101 W. Catawba Avenue, Cornelius, NC 28031-5611
County: Marion
Previous Orders: None
Permit/ID Number: 341002-1201
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991 (2002), S.C. Code Ann. §§ 44-96-260, 44-96-440 & 44-96-450; Transfer of Solid Waste, 25A S.C. Code Ann. Regs. 61-107.7. (Supp. 2005).

Summary: The City of Mullins Construction Demolition and Land-Clearing Debris Landfill (Respondent) transferred solid waste without a permit from the Department. The violation occurred when space in the current operating cell of the landfill came close to running out of space. Permission to conduct the transfer of the waste was neither asked for nor granted prior to the transfer of waste. Permission was granted for the transfer of solid waste and the opening of an adjacent landfill cell to correct the violation.

Action: The Respondent must pay a civil penalty in the amount of five thousand dollars (\$5,000.00) in quarterly installments of \$1,250.00 each.

16) Order Type and Number: Administrative Order 07-02-SW
Order Date: January 25, 2007
Respondent: **Willing's Used Cars, Inc.**
Location/Mailing Address: 2741 Old Camp Long Road
Aiken, SC 29805
County: Aiken
Previous Orders: none
Permit/ID Number: none
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991 (2002) (Act), Waste Tires Regulation, 25A S.C. Code Ann. Reg. (Supp. 2005) 61-107.3.D.3. and 61-107.3.E.1.; Used Oil Regulation, 25A S.C. Code Ann. Reg. (Supp. 2005) 61-107.279.12.h. and 61-107.279.22.d.(1), (2), and (3); and the Pollution Control Act, S.C. Code Ann. § 48-1-90(a) (1987).

Summary: Willing's Used Cars, Inc. (Respondent) operates an automobile junkyard and allowed the discharge of used oil and miscellaneous automotive fluids onto the ground at the site during automobile crushing activities; failed to perform remediation of the site; and stored an excess of waste tires at the site.

Action: The Respondent must submit a plan to the Department for remediation of the site within thirty (30) days of the effective date of the Order; to implement the remediation plan within thirty (30) days of Department approval; to remove and properly dispose of all waste tires at the site; and to pay to the Department a civil penalty of thirteen thousand five hundred dollars (**\$13,500.00**) within thirty (30) days of the effective date of the Order. The Order was not appealed and is now effective. The deadline for the Order requirements is May 23, 2007.

Hazardous Waste Enforcement

17) Order Type and Number: Consent Order 07-02-HW
Order Date: February 15, 2007
Respondent: **GYN Infectious Disease of Charleston, PLLC**
Location/Mailing Address: 71-A Bull Street
Charleston, SC 29401
County: Charleston
Previous Orders: None
Permit/ID Number: SC10-0120G
Violations Cited: The South Carolina Infectious Waste Management Act, S.C. Code Ann. §44-93-140 (Rev. 2002), the Environmental Protection Fund Act, S.C. Code Ann. §48-2-50 et seq. (1993), the South Carolina Infectious Waste Management Regulations 61-105 F (4), and the Environmental Protection Fees Regulations 61-30 G (12).

Summary: GYN Infectious Disease of Charleston, PLLC (Respondent) is a medical clinic that generates infectious waste. The Respondent has violated the Infectious Waste Management Regulations as follows: failure to pay their 2007 Annual Infectious Waste Generator Fees in the amount of one hundred fifty dollars (\$150.00).

Action: The Respondent has agreed to: ensure compliance with the Infectious Waste Generator requirements as outlined in R.61-105; pay the 2007 Annual Infectious Waste Fees and outstanding penalties totaling two hundred six dollars and twenty-five cents (\$206.25); and, pay a civil penalty in the amount of two hundred eighteen dollars and seventy-five cents (**\$218.75**).

18) Order Type and Number: 07-03-HW
Order Date: April 17, 2007

<u>Respondent:</u>	Sea Fox Boats Company, Inc.
<u>Facility:</u>	N/A
<u>Location/Mailing Address:</u>	2550 Highway 52 Moncks Corner, SC 29461
<u>County:</u>	Berkeley
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	SCR 000 763 615
<u>Violations Cited:</u>	The South Carolina Hazardous Waste Management Act §44-56-130 and The South Carolina Hazardous Waste Management Regulations 61-79.262.11, R.61-79.262.34(d)(4)/265.31, R.61-79.262.34(d)(4)/265.37, R.61-79.262.34(d)(5)(ii), R.61-79.262.34(d)(5)(iii), R.61-79.262.34(c)(1)(iii)/265.16(a)(1), R.61-79.262.34(c)(1)(iii)/265.16(d)(4), R.61-79.262.34(d)(2)/265.174, R.61-79.262.34(c)(2), R.61-79.262.34(c)(1)(i)/265.173(a), R.61-79.262.34(c)(1)(ii), R.61-79.262.34(d)(2)/265.173(d), R.61-79.273.13(d)(1), R.61-79.273.14(e), and R.61-79.273.15(c).

Summary: Sea Fox Boat Company, Inc. (Respondent) is a boat manufacturer. The Respondent has violated the South Carolina Hazardous Waste Management Regulations as follows: failure to make an accurate hazardous waste determination; failure to maintain and operate its facility to minimize the possibility of a fire, explosion, or any unplanned sudden or nonsudden release of hazardous waste or hazardous waste constituents; failure to attempt to make arrangements with police and hospitals as appropriate for the type of waste handled at its facility and the potential need for services of these organizations; failure to post (A) the name and telephone number of the emergency coordinator, (B) location of fire extinguishers and spill control material, and, if present, fire alarm, and (C) the telephone number of the fire department next to the telephone; failure to ensure that employees are thoroughly familiar with proper waste handling and emergency procedures; failure to ensure that facility personnel successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures the facility's compliance with hazardous waste management procedures; failure to maintain at the facility records that document that the training or job experience; failure to inspect areas where containers are stored, at least weekly, looking for leaks and for deterioration caused by corrosion or other factors; failure to maintain 55 gallons or less of hazardous waste at the point of generation; failure to have all containers holding hazardous waste closed, except when necessary to add or remove waste; failure to mark its containers either with the words "HAZARDOUS WASTE" or with other words that identify the contents of the container; failure to label each container of hazardous waste with the appropriate EPA Hazardous Waste Number; failure to contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps; failure to clearly mark each lamp or a container or package in which such lamps are contained with one of the following

phrases: “Universal Waste – Lamp(s),” or “Waste Lamp(s),” or “Used Lamp(s);” and, failure to demonstrate the length of time that the universal waste was accumulated from the date it became a waste or was received.

Action: The Respondent has agreed to: ensure that an accurate hazardous waste determination is made on all wastes generated, stored, and shipped offsite for disposal; ensure that the facility operates and complies with the requirements of R.61-79.265 Subpart C - Preparedness and Prevention; ensure that the following information is posted next to the telephone: the name and telephone number of the emergency coordinator; location of fire extinguishers and spill control material, and, if present, fire alarm; and the telephone number of the fire department; ensure that employees are thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal facility operations and emergencies; ensure that facility personnel successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures the facility’s compliance with hazardous waste management regulations; maintain records at the facility which document that the training or job experience required has been given to, and completed by, facility personnel; ensure that all containers of hazardous waste are managed in accordance with R.61-79.262.34 and R.61-79.265 Subpart I – Use and Management of Containers; ensure that any lamps are stored in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps; , ensure that each lamp or container or package in which such lamps are contained is labeled or marked clearly with one of the following phrases: “Universal Waste – Lamp(s),” or “Waste Lamp(s),” or “Used Lamp(s);” demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received; within thirty (30) days of the effective date of this Consent Order, submit to the Department for review and approval, a Standard Operating Procedure (SOP) for management of the uncured waste resin generated during the lamination process; and, pay to the Department a civil penalty in the amount of twenty-six thousand, fifty dollars (\$26,050.00).

19)	<u>Order Type and Number:</u>	07-05-HW
	<u>Order Date:</u>	April 26, 2007
	<u>Respondent:</u>	Patriot’s Point Naval and Maritime Museum
	<u>Facility:</u>	N/A
	<u>Location/Mailing Address:</u>	40 Patriots Point Road Mt. Pleasant, South Carolina 29464
	<u>County:</u>	Charleston
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	SCD 073 724 239
	<u>Violations Cited:</u>	The South Carolina Hazardous Waste Management Act §44-56-130(2) and The South Carolina

Hazardous Waste Management Regulations 61-79.262.11, R.61-79.262.44(b), and R.61-79.273.11(a).

Summary: Patriot's Point Naval & Maritime Museum (Respondent) is a floating naval museum located in the Charleston harbor. The Respondent has violated the South Carolina Hazardous Waste Management Regulations as follows: failure to make an accurate hazardous waste determination; failure to declare its generator status annually; and failure to properly dispose of universal waste.

Action: The Respondent has agreed to: ensure that an accurate hazardous waste determination is made on all solid wastes generated by Patriot's Point and its contractors; submit annual declarations of its generator status as long as Patriot's Point remains a small quantity generator of hazardous waste; ensure that universal wastes are managed and disposed in compliance with R.61-79.273 - Standards For Universal Waste Management; and pay a civil penalty in the amount of three thousand dollars (\$3,000.00).

BUREAU OF WATER

Drinking Water Enforcement

20) <u>Order Type and Number:</u>	Consent Order 07-028-DW
<u>Order Date:</u>	February 15, 2007
<u>Respondent:</u>	Wrights Plumbing & Utilities
<u>Facility:</u>	Crystal Pines Subdivision
<u>Location/Mailing Address:</u>	109 Mallard Court Chapin, S.C. 29036
<u>County:</u>	Lexington
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	3250065
<u>Violations Cited:</u>	24A S.C. Code Ann. Regs. 61-58.11(H) and 61-58.6(E) (Supp. 2006)

Summary: Wrights Plumbing and Utilities (Respondent) owns and is responsible for the proper operation and maintenance of public water system (PWS) No. 3250065 that serves the customers of Crystal Pines Subdivision. The Respondent has violated the State Primary Drinking Water Regulations as follows: failed to conduct monitoring for lead and copper and failed to issue public notice.

Action: The Respondent has agreed to: issue public notice to the customers for failure to monitor for lead and copper during the June 2004 -

September 2004 and June 2005 - September 2005 monitoring periods; submit a copy of the public notice to the Department; and pay a civil penalty in the amount of two thousand one hundred dollars (**\$2,100.00**).

21) Order Type and Number: Consent Order 07-030-DW
 Order Date: February 15, 2007
 Respondent: **Colony Square Homeowners Association, Inc.**
 Facility: Colony Square
 Location/Mailing Address: 501 44th Avenue North
 Myrtle Beach, S.C. 29577
 County: Horry
 Previous Orders: None
 Permit/ID Number: 26-K35C
 Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)
 and 61-51(K)(1)(d)
 Project Manager: **Jeffrey Schrag**

Summary: Colony Square Homeowners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of the pool (Permit No. 26-K35C). The Respondent has violated the Public Swimming Pools Regulation as follows: failure to properly operate and maintain the pool at the above referenced site.

Action: The Respondent has agreed to: pay a civil penalty in the amount of one thousand six hundred eighty dollars (**\$1,680.00**).

22) Order Type and Number: Consent Order 07-032-DW
 Order Date: February 15, 2007
 Respondent: **South Carolina Coast & Lakes, LLC**
 Facility: Live Oaks at Battery Creek
 Location/Mailing Address: 2245-C Ashley Crossing Dr.
 Charleston, SC 29414
 County: Beaufort
 Previous Orders: 06-191-DW (\$2,800)
 Permit/ID Number: N/A
 Violations Cited: S.C. Code Ann. Regs. 61-58.1(K)
 (Supp. 2006)

Summary: South Carolina Coast and Lakes, LLC (Respondent) owns and is responsible for the construction and development activities at the Live Oaks at Battery Creek property (Site) located at 1649 Salem Road in Beaufort County, South Carolina. The Respondent has violated the State Primary Drinking Water

Regulations as follows: failure to obtain final approval to operate prior to placing a water system into operation.

Action: The Respondent has agreed to: abandon the water system; connect to Beaufort-Jasper Water & Sewer Authority; and pay a civil penalty in the amount of four thousand eight hundred dollars (**\$4,800.00**). The penalty has been paid.

23) Order Type and Number: Consent Order 07-033-DW
Order Date: March 21, 2007
Respondent: **Coastal Construction Services, LLC**
Facility: Marriott Beach & Golf Resort
Location/Mailing Address: 32 C Hunter Road, Suite 100,
Hilton Head Island, S.C. 29926
County: Beaufort
Previous Orders: None
Permit/ID Number: 07-301D and 07-302D
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(I)

Summary: Coastal Construction Services, LLC (Respondent) is responsible for the proper modification of the spas (Permit No. 07-301D and Permit No. 07-302D). The Respondent has violated the Public Swimming Pools Regulation as follows: failure to submit a Change Order Request Form prior to modifying the decking of the spas.

Action: The Respondent has agreed to: pay a civil penalty in the amount of three hundred sixty dollars (**\$360.00**).

24) Order Type and Number: Consent Order 07-034-DW
Order Date: March 21, 2007
Respondent: **Nick Lucas d/b/a Lighthouse Pointe Campground**
Facility: Lighthouse Pointe Campground
Location/Mailing Address: 1022 Randolph Landing Way
Manning, S.C. 29102
County: Clarendon
Previous Orders: None
Permit/ID Number: 18,560-WS
Violations Cited: S.C. Code Ann. Regs. 61-58.1(K)(1)

Summary: Nick Lucas (Respondent) d/b/a Lighthouse Pointe Campground owns and is responsible for the proper installation, operation and maintenance of drinking water distribution lines that serve the residents and

employees of the Lighthouse Pointe Campground Additional Sites located at 1567 Harbor House Road (Site) in Clarendon County, South Carolina. The Respondent has violated the State Safe Drinking Water Act and the State Primary Drinking Water Regulations as follows: failure to obtain final approval to operate prior to placing drinking water distribution lines into operation.

Action: The Respondent has agreed to: operate and maintain public water system (PWS) No. 1470203 in accordance with all applicable State and Federal laws and regulations; schedule an inspection to obtain final approval to operate; and pay a civil penalty in the amount of eight hundred fifty dollars (**\$850.00**). The civil penalty has been paid.

25) Order Type and Number: Consent Order 07-038-DW
 Order Date: February 28, 2007
 Respondent: **CBM Environmental Services, Inc.**
 Facility: Cottageville Texaco
 Location/Mailing Address: 10648 Cottageville Highway
 Cottageville, S.C. 29435

 County: Colleton
 Previous Orders: None
 Permit/ID Number: N/A
 Violations Cited: S.C. Code Ann. Regs. 61-
 71(H)(2)(a)(1), (a)(5), (b)(5), and (c)

Summary: CBM Environmental Services, Inc. (Respondent) is responsible for the proper installation of 13 permanent monitoring wells adjacent to the Cottageville Texaco property. The Respondent has violated the South Carolina Well Standards and Regulations as follows: failure to place a sufficient locking cap on 7 permanent monitoring wells; failure to place an identification plate on 12 permanent monitoring wells; failure to properly grout 4 permanent monitoring wells; and failure to construct a sufficient pad around the wellhead to prevent contamination in 1 permanent monitoring well.

Action: The Respondent has agreed to: comply with all State rules and regulations concerning well construction and pay a civil penalty in the amount of two thousand eight hundred dollars (**\$2,800.00**). The civil penalty has been paid.

26) Order Type and Number: Consent Order 07-044-DW
 Order Date: March 21, 2007
 Respondent: Kamla, Inc.
 Facility: **Comfort Inn & Suites**
 Location/Mailing Address: 601 South Ocean Blvd.
 Myrtle Beach, S.C. 29577

 County: Horry

<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	26-299B
<u>Violations Cited:</u> and (K)(1)(d)	24A S.C. Code Ann. Regs. 61-51 (J)

Summary: Kamla, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool (Permit No. 26-299B). The Respondent has violated the Public Swimming Pools Regulation as follows: failure to properly operate and maintain the pool at the above referenced site.

Action: The Respondent has agreed to: properly operate and maintain the pool in accordance with the Public Swimming Pools Regulation and pay a civil penalty in the amount of two thousand forty dollars (\$2,040.00).

27)	<u>Order Type and Number:</u>	Consent Order 07-041-DW
	<u>Order Date:</u>	April 2, 2007
	<u>Respondent:</u>	N. L. Bassford Jr. d/b/a Walterboro Warehouses
	<u>Facility:</u>	Colleton County Industrial Park
	<u>Location/Mailing Address:</u>	P.O. Box 126 Valdosta, GA 31603-0126
	<u>County:</u>	Colleton
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	None
	<u>Violations Cited:</u>	24A S.C. Code Ann. Regs. 61-58. 1.K(1)

Summary: N. L. Bassford Jr. (Respondent) d/b/a Walterboro Warehouses owns and is responsible for construction activities at the Colleton County Industrial Park located in Colleton County, South Carolina. The Respondent has violated the State Primary Drinking Water Regulations as follows: failure to obtain final approval to operate prior to placing a public water system (PWS) into operation.

Action: The Respondent has agreed to: pay a civil penalty in the amount of nine hundred fifty dollars (\$950.00). The civil penalty has been paid.

28)	<u>Order Type and Number:</u>	Consent Order 07-050-DW
	<u>Order Date:</u>	April 17, 2007
	<u>Respondent:</u>	Sands Resorts Holding, LLC
	<u>Facility:</u>	Ocean Dunes Convention Center
	<u>Location/Mailing Address:</u>	201 74 th Avenue North Myrtle Beach, S.C. 29577
	<u>County:</u>	Horry

<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	26-C68D
<u>Violations Cited:</u>	24A S.C. Code Ann. Regs. 61-51(J)
and 61-51(K)(1)(d)	

Summary: Sands Resorts Holding, LLC (Respondent) owns and is responsible for the proper operation and maintenance of the Spa (Permit No. 26-C68D) in Horry County, South Carolina. The Respondent has violated the Public Swimming Pools Regulation as follows: failure to properly operate and maintain the Spa at the above referenced site.

Action: The Respondent has agreed to: properly operate and maintain the Spa in accordance with the Public Swimming Pools Regulation and pay a civil penalty in the amount of one thousand nine hundred twenty dollars (**\$1,920.00**). The civil penalty has been paid.

29)	<u>Order Type and Number:</u>	Consent Order 07-052-DW
	<u>Order Date:</u>	April 2, 2007
	<u>Respondent:</u>	Tommy Johnson d/b/a Cameron MHP
	<u>Facility:</u>	Cameron MHP
	<u>Location/Mailing Address:</u>	104 Sandcroft Court Aiken, S.C. 29801
	<u>County:</u>	Aiken
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	0260038
	<u>Violations Cited:</u>	24A S.C. Code Ann. Regs. 61-58. 7

Summary: Tommy Johnson (Respondent) d/b/a Cameron Mobile Home Park (MHP) owns and is responsible for the proper operation and maintenance of the Cameron MHP public water system (PWS) located in Aiken County, South Carolina. The Respondent has violated the State Primary Drinking Water Regulations as follows: failure to properly operate and maintain the PWS.

Action: The Respondent has agreed to: employ a level 'D' certified distribution operator; correct all system deficiencies; submit an addendum to his Business Plan detailing the violations that occurred and what steps are being taken to bring the system back into compliance; and pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) if he fails to meet any requirement of the Order.

30)	<u>Order Type and Number:</u>	Consent Order 07-068-DW
	<u>Order Date:</u>	April 24, 2007
	<u>Respondent:</u>	Columbia Sussex Corporation

<u>Facility:</u>	Marriott Resort at Grande Dunes
<u>Location/Mailing Address:</u>	8400 Costa Verde Drive Myrtle Beach, S.C. 29577
<u>County:</u>	Horry
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	26-1164D
<u>Violations Cited:</u>	24A S.C. Code Ann. Regs. 61-51(J) and 61-51(K)(1)(d)

Summary: Columbia Sussex Corporation (Respondent) owns and is responsible for the proper operation and maintenance of spa (Permit No. 26-1164D) located at the Myrtle Beach Marriott Resort at Grande Dunes, 8400 Costa Verde Drive, in Horry County, South Carolina. The Respondent has violated the Public Swimming Pools Regulation as follows: failure to properly operate and maintain the spa at the above referenced site.

Action: The Respondent has agreed to: properly operate and maintain the spa in accordance with the Public Swimming Pools Regulation and pay a civil penalty in the amount of two thousand forty dollars (\$2,040.00).

31)	<u>Order Type and Number:</u>	Consent Order 07-066-DW
	<u>Order Date:</u>	April 24, 2007
	<u>Respondent:</u>	Randy McCracken
	<u>Facility:</u>	NA
	<u>Location/Mailing Address:</u>	7037 Shady Grove Road Conway, S.C. 29527
	<u>County:</u>	Horry
	<u>Previous Orders:</u>	04-214-DW (\$3,500)
	<u>Permit/ID Number:</u>	#1019
	<u>Violations Cited:</u>	24A S.C. Code Ann. Regs. 61-44(D) (Supp. 2006)

Summary: Randy McCracken (Respondent) is involved in the business of well drilling in the State of South Carolina. The Respondent has violated the South Carolina Individual Residential & Irrigation Well Permitting Regulations and associated regulations as follows: failed to obtain coverage under General Permit to Construct Individual Residential Wells and Irrigation Wells by failing to submit an Notice of Intent (NOI) and the associated fee prior to the construction of one residential well.

Action: The Respondent has agreed to: pay a civil penalty in the amount of one thousand four hundred fifty eight dollars (\$1,458.00). A **stipulated penalty** of three thousand dollars (\$3,000.00) was also assessed, and is due and payable should he fail to comply with any requirement in the Order.

Water Pollution Enforcement

- 32) Order Type and Number: Consent Order 07-013-W
 Order Date: February 15, 2007
 Respondent: **Town of McCormick**
 Facility: Commission of Public Works
 Location/Mailing Address: 214 Calhoun Street
 McCormick, S.C. 29835
 County: McCormick
 Previous Orders: 02-164-W (\$6,800 suspended) and
 03-092-W (\$21,500)
 Permit/ID Number: SC0030783
 Violations Cited: S.C. Code Ann. § 48-1-110(a)(1)
 (Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.122.21(a)(3) (Supp.
 2005)

Summary: The Town of McCormick Commission of Public Works (Respondent) owns and is responsible for the proper operation and maintenance of 2 wastewater collection systems (WWCS). The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: placed both of the WWCS into operation without obtaining the necessary permits or approvals from the Department.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit an administratively and technically complete request for approval to operate both WWCS; and pay a civil penalty in the amount of three thousand two hundred dollars (\$3,200.00). The civil penalty has been paid.

- 33) Order Type and Number: Consent Order 07-019-W
 Order Date: February 15, 2007
 Respondent: **City of Walterboro**
 Facility: City of Walterboro WWTF
 Location/Mailing Address: P.O. Box 709
 Walterboro, S.C. 29488
 County: Colleton
 Previous Orders: 03-146-W (\$1,400)
 Permit/ID Number: SC0040436
 Violations Cited: S.C. Code Ann. § 48-1-110(d)
 (Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.122.41(a)(e) (Supp. 2005)

Summary: The City of Walterboro (Respondent) owns and is responsible for the proper operation and maintenance of the wastewater treatment facility (WWTF) serving the residences and businesses located in the City of Walterboro,

South Carolina. The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: discharged waste into the environment and failed to properly operate and maintain the WWTF as specified in its National Pollutant Discharge Elimination System (NPDES) Permit.

Action: The Respondent has agreed to: submit 3 copies of a preliminary engineering report (PER) for a grit removal and improved screening system with a schedule of implementation; monitor an elevated sewer line; submit a schedule to map and clear the right-of-way for the inaccessible path of the underground sewer line; and pay a civil penalty in the amount of eight thousand four hundred dollars (**\$8,400.00**). The civil penalty has been paid.

34) Order Type and Number: Consent Order 07-024-W
Order Date: February 15, 2007
Respondent: **The School District of Greenville**
Facility: League Academy
Location/Mailing Address: 225 South Pleasantburg Dr. Ste B-11
Greenville, S.C. 29607
County: Greenville
Previous Orders: 06-018-W (\$45,660)
Permit/ID Number: SCR109504/23-04-08-04
Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987)
and 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e) (Supp. 2005)

Summary: The School District of Greenville (Respondent) located in Greenville County, South Carolina, owns and is responsible for land clearing and construction activities associated with the construction of the League Academy located on Twin Lakes Drive. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to install and properly operate and maintain sediment and erosion control devices; failed to comply with the conditions of the National Pollutant Discharge Elimination System (NPDES) Permit and Department approved Site plans; and allowed the unauthorized discharge of sediment into the environment, including waters of the State, in a manner other than in compliance with a permit issued by the Department.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit an engineer's report certifying that all sediment and erosion control devices have been installed and are functioning properly; and pay a civil penalty in the amount of thirty-two thousand three hundred ninety-three dollars and seventy-five cents (**\$32,393.75**). The civil penalty has been paid.

35) Order Type and Number: Consent Order 07-025-W
Order Date: February 15, 2007
Respondent: **Duke Energy Carolinas, LLC**

<u>Facility:</u>	Lee Steam Station
<u>Location/Mailing Address:</u>	P.O. Box 366 Pelzer, S.C. 29669
<u>County:</u>	Anderson
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	SC0002291
<u>Violations Cited:</u>	25 S.C. Code Ann. Regs. 61-68 (E)(5)(d) (Supp. 2006)

Summary: Duke Energy Carolinas, LLC (Respondent) owns and is responsible for the proper operation of the Lee Steam Station, located in the City of Williamston, South Carolina. The Respondent has violated the Water Classifications and Standards as follows: failed to keep waters of the State free from high temperature liquids that interfere with classified and/or existing water uses, or which are harmful to aquatic life.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit two Progress Reports that describe the progress being made towards determining the appropriate operational controls in the Corrective Action Plan (CAP). The Progress Report shall include recommendations and/or changes to operational controls in the CAP, if applicable. The final CAP with revisions, if any, shall be submitted with the October 1st 2007 Progress Report. Pay to the Department a civil penalty in the amount of seven thousand two hundred sixty-seven dollars and fifty cents (**\$7,267.50**). One thousand six hundred sixty-seven dollars and fifty cents (\$1,667.50) of the payment shall be designated for damages assessed for the fish kill. Five thousand six hundred dollars (\$5,600.00) of the payment shall be designated for payment of the civil penalty for the violations cited herein.

36) <u>Order Type and Number:</u>	Consent Order 07-026-W
<u>Order Date:</u>	February 15, 2007
<u>Respondent:</u>	William C. Rutledge
<u>Facility:</u>	Beaver Creek Mobile Home Park
<u>Location/Mailing Address:</u>	1486 Greenwood Lane Rock Hill, S.C. 29730
<u>County:</u>	York
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	SC0032662
<u>Violations Cited:</u>	S.C. Code Ann. § 48-1-90(a), 110(d) (Supp. 2006), 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e) (Supp. 2006)

Summary: William C. Rutledge (Respondent) owns and is responsible for the proper operation and maintenance of the wastewater treatment facility (WWTF) serving the Beaver Creek Mobile Home Park located on secondary road S-46-114, two miles north of SC Highway 55 in York County, South Carolina.

The Respondent violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: discharged wastewater into the environment in a manner other than in compliance with a permit issued by the Department and failed to operate and maintain the WWTF as required by its National Pollutant Discharge Elimination System (NPDES) Permit.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with State and Federal regulations; correct the deficiencies noted during Department inspections; submit a Corrective Action Report summarizing the actions implemented to correct the deficiencies noted during Department inspections and pay a civil penalty in the amount of twelve thousand dollars (**\$12,000.00**) in quarterly installments.

37) Order Type and Number: Consent Order 07-027-W
 Order Date: February 15, 2007
 Respondent: **William C. Rutledge**
 Facility: Pinelakes Campground
 Location/Mailing Address: 1486 Greenwood Lane
 Rock Hill, S.C. 29730

 County: York
 Previous Orders: None
 Permit/ID Number: SC0024759
 Violations Cited: S.C. Code Ann. § 48-1-110(a) and
 (d) (Supp. 2006) and 24 S.C. Code Ann. Regs. 61-9.122.41(a), (e) and
 (l)(4) (Supp. 2006)

Summary: William C. Rutledge (Respondent) is responsible for the proper operation and maintenance of the wastewater treatment facility (WWTF) serving the Pinelakes Campground, located 9 miles north of the City of Rock Hill on US Highway 21, in York County, South Carolina. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to operate and maintain the WWTF as required by its National Pollutant Discharge Elimination System (NPDES) Permit.

Action: The Respondent has agreed to: submit a Closure Plan addressing the closeout of the WWTF and complete closure of the WWTF. The Department has assessed a **suspended** civil penalty in the amount of fourteen thousand dollars (**\$14,000.00**) and will become due if the Respondent fails to meet any requirement of this Order.

38) Order Type and Number: Consent Order 07-029-W
 Order Date: February 15, 2007
 Respondent: **Shandon Terrace, LLC**
 Facility: Parkwood MHP
 Location/Mailing Address: P.O. Box 12519

	Columbia, S.C. 29211
<u>County:</u>	Lexington
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	SC0030473
<u>Violations Cited:</u>	S.C. Code Ann. § 48-1-110(d) and 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e)(3) (Supp.2006)

Summary: Shandon Terrace, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) serving the residents of Parkwood Mobile Home Park (MHP) located in Lexington County, South Carolina. The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to comply with the effluent limits for biochemical oxygen demand (BOD), dissolved oxygen (DO), ammonia-nitrogen (NH₃-N), fecal coliform (FC), total suspended solids (TSS), and the compliance schedule as required in its National Pollutant Discharge Elimination System (NPDES) Permit.

Action: The Respondent has agreed to: by May 1, 2007, begin construction on the connection to the City of Cayce regional sewer system; by February 1, 2008, complete construction of the connection to regional sewer and divert influent wastewater to the City of Cayce regional sewer system; by August 1, 2008, properly close out the WWTF in accordance with a Department approved closure plan. The Department has assessed a **suspended** civil penalty in the amount forty thousand two hundred fifty dollars (**\$40,250.00**). If the Respondent fails to meet any schedule date, the Respondent shall pay a stipulated civil penalty in the amount of five thousand dollars (\$5,000.00) and an additional five thousand dollars (\$5,000.00) per month for each and every additional month the Respondent fails to meet the schedule date.

39)	<u>Order Type and Number:</u>	Consent Order 07-031-W
	<u>Order Date:</u>	February 15, 2007
	<u>Respondent:</u>	Robert C. Turner
	<u>Facility:</u>	Cash and Kids Dairy
	<u>Location/Mailing Address:</u>	323 Ennis Road Bowman, S.C. 29018
	<u>County:</u>	Orangeburg
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	ND0079201/CP# 9,559-AG
	<u>Violations Cited:</u>	S.C. Code Ann. § 48-1-90(a) (1987) and 25 S.C. Code Ann. Regs. 61-43.200.90.A (Supp. 2002)

Summary: Robert C. Turner (Respondent) located in Orangeburg County, South Carolina, owns and is responsible for proper operation and maintenance of a waste disposal system serving the Cash and Kids Dairy. The Respondent has violated the Pollution Control Act and Standards for the Permitting of

Agricultural Animal Facilities as follows: failed to properly operate and maintain his waste management system and allowed the unauthorized discharge of partially treated wastewater into the environment, including waters of the State, in a manner other than in compliance with a permit issued by the Department.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; complete the installation of all gutters; submit a lagoon remediation plan; and pay a civil penalty in the amount of eight hundred dollars (\$800.00) in quarterly installments. A suspended penalty in the amount of seven thousand two hundred dollars (\$7,200.00) is assessed and will become due and payable should the Respondent fail to meet any requirement of this Order.

40) Order Type and Number: Consent Order 07-035-W
Order Date: February 28, 2007
Respondent: **Anderson County Wastewater Management**
Facility: Six and Twenty WWTF
Location/Mailing Address: 731 Michelin Blvd.
Anderson, S.C. 29696
County: Anderson
Previous Orders: None last 5 years
Permit/ID Number: SC0040193
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(Supp. 2006) and 24 S.C. Code Ann. Regs. 61-9.122.41(a) (Supp. 2006)

Summary: Anderson County Wastewater Management (Respondent) is responsible for the operation and maintenance of the Six and Twenty Wastewater Treatment Facility (WWTF) located on Highway 97 in Anderson County, South Carolina. The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: failed to comply with the effluent limits for fecal coliform bacteria.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit an updated Operation and Maintenance manual; and pay a civil penalty in the amount of six thousand four hundred dollars (\$6,400.00).

41) Order Type and Number: Consent Order 07-036-W
Order Date: February 28, 2007
Respondent: **Galey and Lord Industries, LLC**
Facility: Galey & Lord Industries
Society Hill WWTF
Location/Mailing Address: P.O. Box 157
Society Hill, S.C. 29593

County: Darlington
Previous Orders: 03-162-W (\$4,800)
Permit/ID Number: SC0002704
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(Supp. 2006) and 24 S.C. Code Ann. Regs. 61-9.122.41(a) (Supp. 2006)

Summary: Galey & Lord Industries, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) serving its fabric dyeing and finishing facility, located in Darlington County, South Carolina. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to comply with the effluent limits for whole effluent toxicity (WET).

Action: The Respondent has agreed to: initiate a series of whole WET tests; submit a Toxicity Reduction Evaluation Plan; submit reports on the progress made toward attainment of compliance; and pay a civil penalty in the amount of ten thousand two hundred dollars (\$10,200.00).

42) Order Type and Number: Consent Order 07-039-W
Order Date: February 28, 2007
Respondent: **City of Mullins**
Facility: White Oak WWTF
Location/Mailing Address: P.O. Box 408
Mullins, S.C. 29574
County: Marion
Previous Orders: 04-030-W (\$8,000 stipulated)
02-181-W (\$10,200)
Permit/ID Number: SC0029408
Violations Cited: S.C. Code Ann. § 48-1-110(d) Supp.
2006) and 24 S.C. Code Ann. Regs. 61-9.122.41(a)(1) (Supp.2006)

Summary: The City of Mullins (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located off Secondary Road #31 in Marion County, South Carolina. The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to comply with the effluent limits for Chronic Toxicity (CTOX).

Action: The Respondent has agreed to: initiate a series of Chronic Toxicity (CTOX) tests beginning on the first full month following the execution date of the Order with the results submitted to the Department within 45 days of test completion and pay a civil penalty in the amount of five thousand one hundred dollars (\$5,100.00).

43) Order Type and Number: Consent Order 07-040-W

Order Date: February 28, 2007
Respondent: **Sumterwest, LLC**
Facility: Fast ER Care
Location/Mailing Address: 1155 N. Guignard Drive
Sumter, S.C. 29150
County: Sumter
Previous Orders: None
Permit/ID Number: 29,273-WW
Violations Cited: S.C. Code Ann. § 48-1-110(a)(3)
(Supp. 2006) and 24 S.C. Code Ann. Regs. 61-22.21(a)(3) (Supp. 2006)

Summary: Sumterwest, LLC (Respondent) is responsible for the construction of a wastewater collection system (WWCS) to serve the businesses located at North Patriot Parkway, in Sumter County, South Carolina. The Respondent has violated the Pollution Control Act and associated regulations as follows: placed a WWCS into operation without prior approval.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations and pay a civil penalty in the amount of three thousand dollars (**\$3,000.00**).

44) Order Type and Number: Consent Order 07-042-W
Order Date: March 9, 2007
Respondent: **Cornerstone Development of the Carolinas, Inc.**
Facility: Norwood Ridge Subdivision
Location/Mailing Address: P.O. Box 4306
Rock Hill, S.C. 29732-4306
County: York
Previous Orders: 06-063-W (\$81,500)
Permit/ID Number: SCR108640
Violations Cited: S.C. Code Ann. § 48-1-90(a)(1987),
24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e) (Supp. 2005) and 61-
68.E(5)(d) (Supp. 2005)

Summary: Cornerstone Development (Respondent) owns and is responsible for development and construction activities at its Norwood Ridge Subdivision located in York County, South Carolina. The disturbed area at the site is over 47 acres. The Respondent violated the Pollution Control Act and associated regulations as follows: failed to install and maintain all storm water control devices and discharged sediment into the environment, including into waters of the State.

Action: The Respondent has agreed to: pay a civil penalty in the amount of nineteen thousand dollars (**\$19,000.00**). The penalty has been paid.

- 45) Order Type and Number: Consent Order 07-045-W
 Order Date: March 21, 2007
 Respondent: **City of Anderson**
 Facility: Rocky River WWTF
 Location/Mailing Address: 401 S. Main St.
 Anderson, S.C. 29624
 County: Anderson
 Previous Orders: None
 Permit/ID Number: SC0023744
 Violations Cited: S.C. Code Ann. § 48-1-110(d) and
 24 S.C. Code Ann. Regs. 61-9.122.41(a) (Supp.2006)

Summary: The City of Anderson (Respondent) owns and is responsible for the proper operation and maintenance of the Rocky River wastewater treatment facility (WWTF) located in Anderson, South Carolina. The Respondent has violated the Pollution Control Act and associated regulations as follows: exceeded the permitted discharge limits for fecal coliform bacteria.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a corrective action plan (CAP); and pay a civil penalty in the amount of four thousand eight hundred dollars (\$4,800.00).

- 46) Order Type and Number: Consent Order 07-047-W
 Order Date: March 21, 2007
 Respondent: **Town of Branchville**
 Facility: Town of Branchville WWTF
 Location/Mailing Address: P.O. Box 85
 Branchville, S.C. 29432
 County: Orangeburg
 Previous Orders: 03-175-W (\$14,000)
 Permit/ID Number: SC0047333
 Violations Cited: S.C. Code Ann. § 48-1-110(d)
 (Supp. 2006) and 24 S.C. Code Ann. Regs. 61-9.122.41(a) (Supp. 2006)

Summary: The Town of Branchville (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located in Orangeburg County, South Carolina. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to comply with the effluent discharge limits for biochemical oxygen demand-percent removal (BOD%R), total suspended solids-percent removal (TSS%R), total residual chlorine (TRC) and fecal coliform bacteria (Fecal) and failed to monitor and report for total mercury (Hg).

Action: The Respondent has agreed to: submit a corrective action plan (CAP); submit a summary of corrective actions already completed; and pay a civil penalty in the amount of three thousand three hundred sixty dollars (\$3,360.00) in quarterly installments.

47) Order Type and Number: Consent Order 07-048-W
 Order Date: March 29, 2007
 Respondent: **Edgefield County Water & Sewer Authority**
 Facility: Land-O-Lakes SD WWTF
 Location/Mailing Address: P.O. Box 416
 Edgefield, S. C. 29824
 County: Edgefield
 Previous Orders: None last 5 years
 Permit/ID Number: SC0032492
 Violations Cited: S.C. Code Ann. § 48-1-110(d)
 (Supp. 2006) and 24 S.C. Code Ann. Regs. 61-9.122.41(a) (Supp. 2006)

Summary: Edgefield County Water and Sewer Authority (Respondent) owns and is responsible for the proper operation and maintenance of the wastewater treatment facility (WWTF) serving the residences in the Land-O-Lakes Subdivision (SD) located at S.C. Highway 25 on Secondary Road 37, south of the Town of Edgefield in Edgefield County, South Carolina. The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: failed to comply with the effluent limits for ammonia.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit an application for a permit to construct the sewer line to connect the WWTF to the local sewer collection system; complete construction; obtain Department approval to place the sewer line in operation and eliminate the discharge; complete closeout of the WWTF; and pay a civil penalty in the amount of six thousand eight hundred dollars (\$6,800.00).

48) Order Type and Number: Consent Order 07-049-W
 Order Date: April 17, 2007
 Respondent: **Darlington County Water and Sewer Authority**
 Facility: Center Road Drinking Water Treatment Facility
 Location/Mailing Address: P.O. Box 968
 Darlington, S.C. 29540
 County: Darlington
 Previous Orders: None
 Permit/ID Number: SCG645035

Violations Cited: S.C. Code Ann. § 48-1-110(d)
(Supp. 2006) and 24 S.C. Code Ann. Regs. 61-9.122.21(d)(1) (Supp.
2006)

Summary: Darlington County Water and Sewer Authority (DCWSA) (Respondent) owns and is responsible for the Center Road Drinking Water Treatment Facility (DWTF) located at State Road S-16-13, in the City of Darlington, in Darlington County, South Carolina. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to submit an administratively complete application for renewal of its National Pollutant Discharge Elimination System (NPDES) General Permit for Water Treatment Plant Discharges at least 180 days prior to the expiration date of the permit.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; continue to operate the DWTF in accordance with the most recently issued NPDES General Permit until a new permit becomes effective; and pay a civil penalty in the amount of one thousand seven hundred dollars (\$1,700.00).

49) Order Type and Number: Consent Order 07-051-W
Order Date: April 2, 2007
Respondent: **Wright Way Investments, Inc.**
Facility: Wright Way Dirt Pit
Location/Mailing Address: 145 Fox Glen Drive
Loris, S.C. 29569
County: Horry
Previous Orders: None
Permit/ID Number: SCG730899
Violations Cited: S.C. Code Ann. § 48-1-90(a) and 24
S.C. Code Ann. Regs. 61-9.122.21(a)(3) (Supp. 2006)

Summary: Wright Way Investments, Inc. (Respondent) is responsible for mining activity at the Wright Way Dirt Pit (Site), located adjacent to SC Highway S-26-664, one-quarter mile east of SC Highway 90, in Horry County, South Carolina. The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to submit a Notice of Intent to obtain a National Pollutant Discharge Elimination System (NPDES) General Permit for discharges associated with Non Metal Mineral Mining Facilities and discharged mine pit dewatering into the environment in a manner other than in compliance with a permit issued by the Department.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations and pay a civil penalty in the amount of five thousand one hundred dollars (\$5,100.00).

50) Order Type and Number: Consent Order 07-053-W
 Order Date: April 2, 2007
 Respondent: **Martin Henry Investments, Inc.**
 Facility: Tyger Point Subdivision (SD)
 Location/Mailing Address: 1530 South Highway 14
 Greer, S.C. 29650
 County: Spartanburg
 Previous Orders: None at this Site
 Permit/ID Number: SCR10b363
 Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987)
 and S.C. Code Ann. Regs. 61-9.122.41(a) and (e)(1) (Supp. 2006)

Summary: Martin Henry Investments, Inc. (Respondent) owns and is responsible for land-disturbing activities at the Tyger Point SD located in the City of Spartanburg, in Spartanburg County, South Carolina. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: discharged sediment into the environment, including into waters of the State; failed to comply with all the conditions of the National Pollutant Discharge Elimination System (NPDES) Permit; failed to conduct and document inspections of the Site; and failed to install and maintain storm water management and erosion and sediment controls per the approved Plans.

Action: The Respondent has agreed to: submit a report, completed by a S.C. Registered Professional Engineer, certifying that all sediment and erosion control devices are installed and functioning properly and pay a civil penalty in the amount of twenty-four thousand nine hundred eighty-two dollars (\$24,982.00).

51) Order Type and Number: Consent Order 07-054-W
 Order Date: April 2, 2007
 Respondent: **Martin Henry Investments, Inc.**
 Facility: Beechwood Subdivision (SD)
 Location/Mailing Address: 1530 South Highway 14
 Greer, S.C. 29650
 County: Spartanburg
 Previous Orders: None at this Site
 Permit/ID Number: N/A
 Violations Cited: 24 S.C. Code Ann. Regs. 61-
 9.122.26(a) (Supp. 2006)

Summary: Martin Henry Investments, Inc. (Respondent) owns and is responsible for land-disturbing activities at the Beechwood SD located on Wheeler Road in Duncan, South Carolina (Site), in Spartanburg County, South Carolina. The Respondent has violated the Water Pollution Control Permit

Regulations as follows: initiated land-disturbing activities at the Site prior to obtaining a permit from the Department.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with Federal and State regulations and guidelines; cease all activity at the Site other than the stabilization and maintenance of the disturbed areas; conduct and document weekly inspections of the Site and submit copies of the inspection reports to the Department's EQC Spartanburg Office; submit a Notice of Intent, plans, and specifications for the purpose of obtaining a National Pollutant Discharge Elimination System (NPDES) Permit for the Site; submit a report, completed and stamped by a S.C. Registered Professional Engineer, certifying that all storm water and sediment control devices are installed and functioning properly; and pay a civil penalty in the amount of nine thousand four hundred six dollars **(\$9,406.00)**.

52)	<u>Order Type and Number:</u>	Consent Order 07-055-W
	<u>Order Date:</u>	April 17, 2007
	<u>Respondent</u>	Preit Services, LLC
	<u>Facility:</u>	Magnolia Mall-Dick's Sporting Goods
	<u>Location/Mailing Address:</u>	The Bellevue 200 South Broad Philadelphia, PA 19102
	<u>County:</u>	Florence
	<u>Previous Orders:</u>	None at this Site
	<u>Permit/ID Number:</u>	N/A
	<u>Violations Cited:</u>	24 S.C. Code Ann. Regs. 61-9.122.26(a) (Supp. 2006)

Summary: Preit Services, LLC (Respondent) owns and is responsible for land-disturbing activities at Magnolia Mall-Dick's Sporting Goods located on David McLeod Blvd (Site), in the City of Florence, in Florence County, South Carolina. The Respondent has violated the Water Pollution Control Permit Regulations as follows: initiated land-disturbing activities at the Site prior to obtaining a permit from the Department.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with Federal and State regulations and guidelines and pay a civil penalty in the amount of three thousand dollars **(\$3,000.00)**. The civil penalty has been paid.

53)	<u>Order Type and Number:</u>	Consent Order 07-057-W
	<u>Order Date:</u>	April 2, 2007
	<u>Respondent:</u>	Town of Timmonsville
	<u>Facility:</u>	Town of Timmonsville WWTF

Location/Mailing Address: P.O. Box 447
Timmonsville, S.C. 29161
County: Florence
Previous Orders: None
Permit/ID Number: SC0025356
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(Supp. 2005), 24 S.C. Code Ann. Regs. 61-9.122.41(a), (e), (j)(3), and
(l)(4) (Supp. 2005), and 61-9-403.6 (Supp. 2005)

Summary: The Town of Timmonsville (Respondent) located in Florence County, South Carolina, owns and is responsible for the proper operation and maintenance of its wastewater treatment facility (WWTF). The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: failed to provide an operator of appropriate grade; failed to properly operate and maintain the WWTF; failed to submit an administratively and technically complete pretreatment program; failed to properly monitor its outfalls; and failed to submit administratively complete discharge monitoring reports (DMRs).

Action: The Respondent has agreed to: begin construction of all upgrades within 30 days of awarding a contract; submit quarterly reports of progress; complete construction of all upgrades and request approval to operate; submit all self-monitoring reports received from the one industrial user by the 10th of each month; submit an administratively and technically complete pretreatment program for Department approval; and pay a civil penalty in the amount of thirty-seven thousand eight hundred dollars (\$37,800.00) in quarterly installments.

54) Order Type and Number: Consent Order 07-058-W
Order Date: April 24, 2007
Respondent: **American Fiber & Finishing, Inc**
Facility: Newberry Plant
Location/Mailing Address: 2802 Fair Avenue
Newberry, S.C. 29108
County: Newberry
Previous Orders: None
Permit/ID Number: SCG250212
Violations Cited: S.C. Code Ann. § 48-1-110(d) and
24 S.C. Code Ann. Regs. 61-9.122.41(a) (Supp.2006)

Summary: American Fiber and Finishing, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) serving it's polyester films manufacturing facility located in Newberry County, South Carolina. The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to sample and analyze for copper, lead, and zinc.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; develop an operational plan addressing compliance with the National Pollutant Discharge Elimination System (NPDES) Permit; and pay a civil penalty in the amount of five thousand two hundred and ninety dollars (\$5,290.00).

55) Order Type and Number: Consent Order 07-059-W
Order Date: April 17, 2007
Respondent: **Chickasaw Utility Company**
Facility: Chickasaw Point SD WWTF
Location/Mailing Address: 102 Lilac Drive
Westminster, S.C. 29693
County: Oconee
Previous Orders: 04-097-W (\$5,600 - Suspended)
Permit/ID Number: SC0048259
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(Supp. 2006) and 24 S.C. Code Ann. Regs. 61-9.122.41(a)(1) and (j)(3)
(Supp. 2006)

Summary: Chickasaw Utility Company (Respondent) located in Oconee County, South Carolina, owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) serving the residents of the Chickasaw Point SD. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to comply with the effluent discharge limits of the National Pollutant Discharge Elimination System (NPDES) Permit SC0048259 for fecal coliform bacteria (Fecal) and failed to submit administratively complete discharge monitoring reports (DMRs).

Action: The Respondent has agreed to: submit a corrective action plan (CAP) detailing standard operation and maintenance procedures and/or improvements to be implemented with a schedule and pay a civil penalty in the amount of five thousand six hundred dollars (\$5,600.00).

56) Order Type and Number: Consent Order 07-060-W
Order Date: April 17, 2007
Respondent: **Moon-McManus Development, LLC**
Facility: Camden Crossing Subdivision
Location/Mailing Address: 306 West Poinsett Street
Greer, S.C. 29652
County: Greenville
Previous Orders: None
Permit/ID Number: SCR10C037/23-05-10-05
Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987)
and 24 S.C. Code Ann. Regs. 61-9.122.41(e) (Supp. 2006)

Summary: Moon-McManus Development (Respondent) located in Greenville County, South Carolina, owns and is responsible for land clearing and construction activities associated with the Camden Crossing Subdivision. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: allowed the unauthorized discharge of sediment into the environment, including waters of the State and failed to properly operate and maintain sediment and erosion control devices in accordance with the Department approved Site plan.

Action: The Respondent has agreed to: submit a report completed by a S.C. Registered Professional Engineer certifying that all storm water, sediment and erosion control devices have been installed and are functioning in accordance with the Department approved Site plan; and pay a civil penalty in the amount of nine thousand six hundred dollars (**\$9,600.00**).

57) Order Type and Number: Consent Order 07-061-W
Order Date: April 17, 2007
Respondent: **Charleston Water System**
Facility: Daniel Island WWTF
Location/Mailing Address: P.O. Box B
Charleston, S.C. 29402
County: Berkeley
Previous Orders: None
Permit/ID Number: SC0047074
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(Supp. 2006) and 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e) (Supp. 2006)

Summary: Charleston Water System (Respondent) located in Charleston County, South Carolina, owns and is responsible for the proper operation and maintenance of the Daniel Island wastewater treatment facility (WWTF) located in Berkeley County, South Carolina. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to comply with the effluent discharge limits of the National Pollutant Discharge Elimination System (NPDES) Permit for ammonia-nitrogen (NH₃-N) and failed to properly operate and maintain all units of treatment and control in accordance with its NPDES Permit.

Action: The Respondent has agreed to: submit a detailed summary of corrective actions already completed and pay a civil penalty in the amount of eight thousand four hundred dollars (**\$8,400.00**).

58) Order Type and Number: Consent Order 07-062-W
Order Date: April 20, 2007

<u>Respondent:</u>	Daufuskie Island Club and Resort, Inc.
<u>Facility:</u>	Daufuskie Island Club and Resort WWTF
<u>Location/Mailing Address:</u>	P.O. Box 23285 Hilton Head Island, S.C. 29925
<u>County:</u>	Beaufort
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	ND0068179
<u>Violations Cited:</u>	S.C. Code Ann. § 48-1-110(d) (Supp. 2006) and 24 S.C. Code Ann. Regs. 61-9.505.41(e)(1) (Supp. 2006)

Summary: Daufuskie Island Club & Resort, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) serving businesses and residents located at the southern end of Daufuskie Island, in Beaufort County, South Carolina. The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to properly operate and maintain units of treatment and control and failed to comply with the requirements of the State Land Application Permit ND0068179, which resulted in an unauthorized discharge.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit documentation certifying that an operator of proper grade is monitoring the WWTF daily; submit a corrective action plan (CAP) detailing standard operation and maintenance procedures, which will be implemented to prevent effluent violations; and pay a civil penalty in the amount of twenty-seven thousand eight hundred dollars (\$27,800.00).

59) <u>Order Type and Number:</u>	Consent Order 07-063-W
<u>Order Date:</u>	April 20, 2007
<u>Respondent:</u>	TriStar Land Company, LLC
<u>Facility:</u>	Annacy Park SD
<u>Location/Mailing Address:</u>	138 Westpark Blvd. Columbia, S.C. 29210
<u>County:</u>	Richland
<u>Previous Orders:</u>	None at this Site
<u>Permit/ID Number:</u>	SCR106136
<u>Violations Cited:</u>	S.C. Code Ann. § 48-1-90(a) (1987) and S.C. Code Ann. Regs. 61-9.122.41(a) and (e)(1) (Supp. 2006)

Summary: Tristar Land Company, LLC (Respondent) owns and is responsible for land-disturbing activities at the Percival Road Subdivision, also known as Annacy Park Subdivision, located in the City of Columbia, in Richland County, South Carolina. The Respondent has violated the Water Pollution Control Permit Regulations as follows: discharged sediment into the

environment, including into waters of the State; failed to comply with the conditions of the National Pollutant Discharge Elimination System (NPDES) Permit; failed to conduct and document inspections of the Site; and failed to install and maintain stormwater management, erosion and sediment controls per the approved Plans.

Action: The Respondent has agreed to: submit a report completed by a S.C. Registered Professional Engineer, certifying that all sediment and erosion control devices are installed and functioning properly and pay a civil penalty in the amount of twenty-eight thousand seven hundred fourteen dollars (\$28,714.00).

60) Order Type and Number: Consent Order 07-064-W
Order Date: April 20, 2007
Respondent: **Exide Technologies**
Facility: Greer Facility
Location/Mailing Address: 3000 Montrose Avenue
Reading, PA 19605
County: Greenville
Previous Orders: None last 5 years
Permit/ID Number: SC0042633
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(Supp. 2006) and 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (d) (Supp. 2006)

Summary: Exide Technologies (Respondent) owns and is responsible for the proper operation and maintenance of a stormwater treatment facility (SWTF) located at 109 Old Chick Springs Road in the City of Greer, in Greenville County, South Carolina. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to comply with the effluent limits for whole effluent toxicity (WET).

Action: The Respondent has agreed to: initiate a series of WET tests; submit a Toxicity Reduction Evaluation Plan; submit reports on the progress made toward attainment of compliance; and pay a civil penalty in the amount of eight thousand dollars (\$8,000.00).

61) Order Type and Number: Consent Order 07-065-W
Order Date: April 20, 2007
Respondent: **South Atlantic Galvanizing, LLC**
Facility: South Atlantic Galvanizing, LLC
Location/Mailing Address: P.O. Box 1042
Travelers Rest, S.C. 29690
County: Greenville
Previous Orders: 02-018-W (Consent Agreement))

Permit/ID Number: SCR001822
Violations Cited: S.C. Code Ann. § 48-1-110(a) and (d) (Supp. 2006) and 24 S.C. Code Ann. Regs. 61-9.122.41(a)(d) and (e) (Supp. 2006)

Summary: South Atlantic Galvanizing, LLC (Respondent) is responsible for the operation of a metal galvanizing facility, located at 1006 Greer Highway in the Town of Travelers Rest, in Greenville County, South Carolina. The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: failed to select, install, implement and maintain Best Management Practices at the Site to minimize pollutants in its stormwater discharge and failed to ensure that the discharge does not cause or contribute to an excursion above applicable water quality standards.

Action: The Respondent has agreed to: initiate an initial series of whole effluent toxicity (WET) tests; submit a Summary Report, detailing the corrective measures that have been implemented to date to reduce zinc levels in the storm water; submit a Corrective Action Plan (CAP) detailing the corrective measures that have been implemented, or will be implemented to identify the source(s) of toxicity; reduce the toxicity of the stormwater to the extent necessary to attain compliance with water quality standards and protect aquatic life in the stream; submit a report to include data (e.g., an evaluation of receiving stream flows, representative storm water discharge flows, zinc concentrations after CAP completion) necessary to determine if the stormwater discharge meets water quality standards and is protective of aquatic life in the stream; and pay a civil penalty in the amount of four thousand eight hundred dollars (\$4,800.00).

Joint Orders

62) Order Type and Number: Consent Order 07-056-W
(07-01-MSWM) BLWM
Order Date: April 3, 2007
Respondent: **Kelco, LLC**
Facility: Barefoot Drive Mine
Location/Mailing Address: 209 Highway 544
Conway, S.C. 29526
County: Horry
Previous Orders: N/A
Permit/ID Number: SCG730762
Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987),
48-1-110(d) (Supp. 2006), 48-20-60 and 220 (Supp. 2005) and 24 S.C.
Code Ann. Regs. 61-9.122.41(j)(3) and (l)(4) (Supp. 2006)

Summary: Kelco, LLC (Respondent) owns and is responsible for the operation and maintenance of the Barefoot Drive Mine located on Barefoot Drive

(Site), in the City of North Myrtle Beach, in Horry County, South Carolina. The Respondent has violated the Pollution Control Act, Water Pollution Control Permit Regulations and the South Carolina Mining Act as follows: discharged sediment into the environment, including waters of the State, failed to monitor mine dewatering discharges as required by the National Pollutant Discharge Elimination System (NPDES) Permit; engaged in mining activity without having first obtained an operating permit from the Department; and continued mining activities in violation of the Cease and Desist Order.

Action: The Respondent has agreed to: reclaim the Site and pay a civil penalty in the amount of seven thousand one hundred dollars (**\$7,100.00**). The penalty was assessed as follows. Six thousand dollars (\$6,100.00) of the penalty amount was assessed for violations of the Pollution Control Act. One thousand dollars (\$1,000.00) was assessed for violations of the S.C. Mining Act.

BUREAU OF AIR QUALITY

63) Order Type and Number: 07-009-A
Order Date: February 9, 2007
Respondent: **S&W Ready Mix Concrete Company, Inc.**
Facility: Little River
Location/Mailing Address: P.O. Box 872
Clinton, NC 28329
County: Horry County
Previous Orders: 05-056-A (\$3,000.00) and 03-099-A (\$4,800.00)
Permit/ID Number: 9900-0399
Violations Cited: S.C. Code Ann. § 48-1-110(d), S.C. Regulation 61-62.6, Section II (b), Control Of Fugitive Particulate Matter In Problem Areas.

Summary: S&W Ready Mix Concrete Company, Inc. ("Respondent") operates a 150 cubic yard-per-hour concrete batch production plant located in Little River, South Carolina. The Respondent has violated the South Carolina Pollution Control Act and State Regulations as follows: failure to control fugitive PM emissions by wet suppression, chemical dust suppressants, or in any other manner which has received prior approval from the Department.

Action: The Respondent has agreed to: henceforth control fugitive PM emissions by wet suppression, chemical dust suppressants, or in any other manner that has received prior approval from the Department and pay a civil penalty in the amount of seven thousand dollars (**\$7,000.00**).

64) Order Type and Number: Consent Order 07-010-A
 Order Date: February 22, 2007
 Respondent: **LVI Services of North Carolina**
 Facility: LVI Services, Inc.
 Location/Mailing Address: 1201 Childers Road
 Orange, TX 77630
 County: Spartanburg
 Previous Orders: None
 Permit/ID Number: N/A
 Violations Cited: U.S. Environmental Protection
 Agency Regulations at 40 CFR 61, Subpart M, and South Carolina Air
 Pollution Control Regulation 61-86.1

Summary: LVI Services of North Carolina, Inc., (“Respondent”) located in Salisbury, North Carolina, is a contractor specializing in environmental abatement and remediation, including asbestos abatement and demolition. The Respondent has violated Federal and State Regulations, in that it failed to: construct an adequate decontamination enclosure system adjoining the contained work area; ensure that asbestos containing material (ACM) from within the work area did not exit the contained work area except in sealed leak-tight containers; use polyethylene sheeting to isolate the contaminated areas from the uncontaminated areas and ensure that it was attached securely in place and properly maintained at all times; seal each opening between the work area and uncontaminated areas, including windows and doorways; ensure that contaminated water was filtered through a five-micron or smaller filter and not allowed to leak or drain outside of the work area; temporarily stop abatement activities until the air sampler fulfilled all specified air monitoring requirements; label all the bags used to store the asbestos waste; and ensure that the metal dumpster used to temporarily store the asbestos waste was lined with 6-mil polyethylene sheeting, closed and locked, and labeled appropriately.

Action: The Respondent has agreed henceforth to adhere to all applicable required work practice requirements as prescribed by Federal and State Regulations. In addition, the Respondent has agreed to pay a civil penalty in the amount of twenty thousand dollars (**\$20,000.00**).

65) Order Type and Number: Consent Order 07-011-A
 Order Date: February 22, 2007
 Respondent: **Cooper and Sons Landscaping, LLC**
 Facility: Cooper and Sons Landscaping, LLC
 Location/Mailing Address: 2920 Alligator Road
 Effingham, SC 29541
 County: Florence
 Previous Orders: None

Permit/ID Number: N/A
Violations Cited: South Carolina Air Pollution Control
Regulation 61-62.2, Prohibition of Open Burning

Summary: Cooper and Sons Landscaping, LLC, (Respondent) located in Effingham, South Carolina, is a landscaping and land-clearing company. The Respondent has violated South Carolina Air Pollution Control Regulation 61-62.2, Prohibition of Open Burning in that it burned: materials other than those allowed by Section I of the Regulation; land-clearing debris less than 1,000 feet from public roadways and residential sites not a part of the contiguous property; and materials not generated on site.

Action: The Respondent has agreed to cease open burning, except as provided by the South Carolina Air Pollution Control Regulations. In addition, the Respondent has agreed to pay a civil penalty in the amount of three thousand five hundred dollars (**\$3,500.00**). The penalty has been paid.

66) Order Type and Number: Consent Order 07-012-A
Order Date: February 22, 2007
Respondent: **Benton Ready Mix, Inc.**
Facility: Benton Ready Mix, Inc.
Location/Mailing Address: P.O. Box 797
Conway, SC 29526
County: Horry County
Previous Orders: None
Permit/ID Number: 9900-0498-CA and 9900-0497-CA
Violations Cited: U.S. EPA 40 CFR 52 and SC
Regulation 61-62.5, Standard No. 7, Prevention of Significant
Deterioration and SC Regulation 61-62.1, Section II, Permit
Requirements.

Summary: Benton Ready Mix, Inc. (Respondent), located in Conway, South Carolina, operates a concrete batch plant. The Respondent has violated Federal and State Regulations, in that it installed and began operating the following pieces of equipment prior to obtaining the required Department-issued permits: one 200 yard³/hour concrete batch plant equipped with a central dust collector; one cement silo and one flyash silo each equipped with a dust collector; an aggregate hopper and conveyor; two fuel tanks, and one 70 ton/hour crusher with screen.

Action: The Respondent agreed to ensure that it applies for and obtains required Department-issued permits prior to installing, operating, or modifying sources of air contaminants; comply with the conditions of Permits 9900-0498-CA and 9900-0497-CA; and pay a civil penalty in the amount of eight thousand dollars (**\$8,000.00**).

67) Order Type and Number: Consent Order 07-013-A
 Order Date: March 2, 2007
 Respondent: **Eastman Chemical Company**
 Facility: Eastman Chemical Company
 Location/Mailing Address: P.O. Box 1782
 Columbia, S.C. 29202

 County: Calhoun
 Previous Orders: None
 Permit/ID Number: 1560-0008
 Violations Cited: 40 CFR Table 1 to Subpart DDDD
 of Part 60 - Model Rule - Increments Of Progress And Compliance
 Schedules, and South Carolina Air Pollution Control Regulation 61-62.60
 - Subpart DDDD.

Summary: Eastman Chemical Company (Respondent), located in Calhoun County, South Carolina, manufactures polymers for a wide variety of uses. The respondent violated Federal and State Regulations as follows: exceeded the emission limit for lead from its waste incinerator.

Action: The Respondent has agreed to: comply with the emission limit for lead; conduct an additional test for lead this calendar year; and pay a civil penalty in the amount of six thousand five hundred dollars (**\$6,500.00**). The penalty has been paid.

68) Order Type and Number: Consent Order 07-014-A
 Order Date: March 3, 2007
 Respondent: **Asphalt Contractors, LLC**
 Facility: Asphalt Contractors, LLC
 Location/Mailing Address: 300 Half Moon Rd. (Lyman)
 P.O. Box 1005
 Fairforest, S. C. 29336

 County: Spartanburg County
 Previous Orders: None
 Permit/ID Number: GCM03-9900-0152
 Violations Cited: U.S. EPA 40 CFR 60, South
 Carolina Air Pollution Control Regulation 61-62.60, S.C. Code Ann § 48-
 1-90(a), S.C. Code Ann. § 48-1-110(d), and South Carolina Air Pollution
 Control Regulation 61-62.1.

Summary: Asphalt Contractors, LLC (Respondent), located in Lyman, South Carolina, is a hot mix asphalt plant. The Respondent violated Federal and State Regulations as follows: failure to limit its particulate matter (PM) emissions

to 0.04 gr/dscf during Department-approved source tests conducted on July 10 and August 14, 2006; failure to conduct a source test for determination of PM emissions every two years, as required by the Permit and the Regulations; and failure to submit to the Department a written report of the final results of the source test within 30 days of completion of the test.

Action: The Respondent has agreed to conduct a source test for PM emissions; limit PM emissions from the asphalt plant to 0.04 gr/dscf; conduct a source test every two years; submit to the Department source test results; and pay a civil penalty in the amount of twelve thousand five hundred dollars (**\$12,500.00**). The penalty has been paid.

69) Order Type and Number: Consent Order 07-015-A
Order Date: March 29, 2007
Respondent: **Sun Chemical Corporation**
Facility: Sun Chemical Corporation
Location/Mailing Address: 1506 Bushy Park Rd.
Goose Creek, S.C. 29445
County: Berkeley
Previous Orders: None
Permit/ID Number: TV-0420-0095
Violations Cited: U.S. EPA 40 CFR 68 and South
Carolina Air Pollution Control Regulation 61-62.68, Chemical Accident
Prevention Provisions

Summary: Sun Chemical Corporation (Respondent) manufactures printing inks and organic pigments. The Respondent has violated State and Federal regulations as follows: failed to annually certify compliance with its operating procedures for the calendar years 2003, 2004, and 2005; failed to conduct a compliance audit for methyl chloride, in accordance with the tri-annual schedule established by the regulations; and failed to retain records of the two most recent compliance audit reports for methyl chloride and anhydrous ammonia.

Action: The Respondent has agreed to: certify annually that its operating procedures are current and accurate; conduct compliance audits every three years for regulated substances listed in its Risk Management Plan ("RMP") and retain records of the two most recent compliance audit reports; conduct the next compliance audit for methyl chloride and anhydrous ammonia no later than May 30, 2009, and conduct subsequent compliance audits for regulated substances listed in its RMP every three years, no later than the last day of the month in which the previous compliance audit was conducted; and pay to the Department a civil penalty in the amount of seven thousand dollars (**\$7,000.00**). The penalty has been paid.

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| 70) | <u>Order Type and Number:</u> | Consent Order 07-017-A |
| | <u>Order Date:</u> | March 29, 2007 |
| | <u>Respondent:</u> | Johns Manville |
| | <u>Facility:</u> | Johns Manville |
| | <u>Location/Mailing Address:</u> | 995 Mt. Pleasant Rd.
Spartanburg, S.C. 29307 |
| | <u>County:</u> | Spartanburg |
| | <u>Previous Orders:</u> | None |
| | <u>Permit/ID Number:</u> | 2060-0344 |
| | <u>Violations Cited:</u> | S.C. Code Ann. § 48-1-110(d) and
South Carolina Air Pollution Control Regulation 61-62.70.6(c). |

Summary: Johns Manville (Respondent), located in Spartanburg, South Carolina, manufactures spunbond mat, which is a filament needle-punched non woven synthetic fabric composed of polymers and additives that is used in roofing and industrial applications. The respondent violated State Regulations and Statutes as follows: failed to submit a Title V Annual Compliance Certification (TVACC); failed to submit a semiannual volatile organic compound (VOC) and hazardous air pollutant (HAP) report; and failed to submit a semiannual visual inspection report.

Action: The Respondent has agreed to: submit complete and accurate TVACCs; submit VOC and HAP reports and visual inspection reports; and pay a civil penalty in the amount of five thousand dollars (**\$5,000.00**). The penalty has been paid.

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| 71) | <u>Order Type and Number:</u> | Consent Order 07-018-A |
| | <u>Order Date:</u> | March 30, 2007 |
| | <u>Respondent:</u> | Carolinas Hospital System |
| | <u>Facility:</u> | Carolinas Hospital System |
| | <u>Location/Mailing Address:</u> | P.O. Box 100550
Florence, S.C. 29501 |
| | <u>County:</u> | Florence |
| | <u>Previous Orders:</u> | None |
| | <u>Permit/ID Number:</u> | 1040-0093 |
| | <u>Violations Cited:</u> | S.C. Code Ann § 48-1-110(d) |

Summary: Carolinas Hospital System, (Respondent) located in Florence, South Carolina, is a medical facility. The Respondent has violated S.C. Code Ann § 48-1-110(d), in that it failed to submit to the Department quarterly fuel usage reports for the fourth quarter 2005, first quarter 2006, second quarter 2006, and third quarter 2006 as required by its permit.

Action: The Respondent has agreed to submit fuel usage reports in accordance with the schedule established by its permit and pay a civil penalty in the amount of three thousand dollars (**\$3,000.00**).

72) Order Type and Number: 07-019-A
Order Date: March 29, 2007
Respondent: **Delong Equipment Company**
Facility: Delong Equipment Company
Location/Mailing Address: 444 Fairforest Way
Greenville, S.C. 29607
County: Greenville
Previous Orders: None
Permit/ID Number: 1200-0325
Violations Cited: SC Regulation 61-62.1, Section II,
Permit Requirements and SC Code Ann § 48-1-110(d)

Summary: Delong Equipment Company (Respondent), located in Greenville, South Carolina, cleans various metal parts at its metal finishing facility. The Respondent has violated State Regulations as follows: failed to submit to the Department, written requests to operate several pieces of equipment, including: a shot blast unit equipped with a dust collector and two tumblast units each equipped with dust collectors; failed to establish operational ranges for pressure drop gauges on its dust collectors; failed to record daily pressure drop readings, failed to conduct weekly operation and maintenance checks on its dust collector cleaning systems, hoppers, and conveying systems; and failed to implement and record inspections and subsequent maintenance on all equipment.

Action: The Respondent has agreed to: maintain and record routine inspection and subsequent maintenance on all equipment; record daily pressure drop readings and conduct weekly operation and maintenance checks for emission control systems; obtain the required Department-issued permits prior to installing and operating sources of air contaminants; submit to the Department documentation demonstrating the establishment of operational ranges for its dust collectors; and pay a civil penalty in the amount of five thousand dollars (**\$5,000.00**).

73) Order Type and Number: Consent Order 07-016-A
Order Date: April 9, 2007
Respondent: **Southeastern Fiberglass Products, Inc.**
Facility: Southeastern Fiberglass Products, Inc.
Location/Mailing Address: 51 Sweet Pea Rd.
Bamberg, S.C. 29003
County: Bamberg

Previous Orders: None
Permit/ID Number: 0260-0024
Violations Cited: U.S EPA Regulations at 40 CFR Part 70, State Operating Permit Programs, and South Carolina Air Pollution Control Regulation 61-62.70, Title V Operating Permit Program, and South Carolina Air Pollution Control Regulation 61-62.1, Section II, Permit Requirements

Summary: Southeastern Fiberglass Products, Inc. (Respondent) located in Bamberg, South Carolina, manufactures custom-engineered fiberglass-reinforced plastic equipment for various applications. The Respondent has violated Federal and State Regulations in that it failed to: submit an application for a Title V Operating Permit to the Department within 12 months of becoming subject to the Regulation; obtain a construction permit from the Department; and submit a written request to obtain an operating permit to the Department at least 15 days prior to placing a new source of air contaminants into operation.

Action: The Respondent has agreed to apply for and obtain Department-required permits or exemptions from the Department prior to constructing, altering, or adding to any source of air contaminants; and pay a civil penalty in the amount of ten thousand dollars (**\$10,000.00**). The penalty has been paid.

74) Order Type and Number: Consent Order 07-020-A
Order Date: April 02, 2007
Respondent: **Barney Atkinson**
Facility: Old Gamecock Hotel
Location/Mailing Address: 1787 Bass Dr.
Santee, S.C.
County: Orangeburg
Previous Orders: None
Permit/ID Number: None
Violations Cited: US EPA Regulations at 40 CFR 61, Subpart M; and South Carolina Air Pollution Control Regulation 61-86.1

Summary: Mr. Barney Atkinson (Respondent) owns the former Old Gamecock Hotel in Santee, S.C. The Respondent violated Federal and State regulations as follows: failure to obtain an asbestos project license from the Department prior to beginning demolition activities, failure to ensure that an asbestos survey was performed prior to beginning demolition at a regulated facility, failure to submit written notification of intent to demolish the Old Gamecock Motel at least ten working days prior to commencement of the demolition, failure to remove asbestos-containing material before demolition, failure to follow air sampling and analysis procedures, failure to ensure that every contractor, worker, supervisor, engaged in the asbestos project had a current and

valid license, and failure to pay to the Department relevant fees for a demolition license.

Action: The Respondent has agreed to: adhere to all applicable work practice and notification requirements as prescribed by Federal and State regulations; and pay a civil penalty in the amount of three thousand five hundred dollars (**\$3,500.00**). The penalty has been paid.

75) Order Type and Number: 07-021-A
Order Date: April 02, 2007
Respondent: **The Horry County Solid Waste Authority**
Facility: The Horry County Solid Waste Authority
Location/Mailing Address: 1886 S.C. Hwy 90
Conway, S.C. 29528
County: Horry County
Previous Orders: None
Permit/ID Number: 1340-0107
Violations Cited: South Carolina Air Pollution Control Regulation 61-62.70, Title V Operating Permit Program

Summary: The Horry County Solid Waste Authority (Respondent) owns and operates a municipal solid waste landfill, a construction and demolition landfill, and a yard waste composting facility. The Respondent violated South Carolina Air Pollution Control Regulations as follows: failure to submit an application for renewal of its Title V Operating Permit at least six months prior to the date of expiration. The Title V Operating Permit became effective April 1, 2002, and will expire March 31, 2007. The application for renewal was due no later than September 30, 2006, and the Department received the application for renewal on November 15, 2006.

Action: The Respondent has agreed to comply with all terms and conditions of Title V Operating Permit TV-1340-0107, effective April 1, 2002, until such time as the Department takes final action on the application for renewal.

76) Order Type and Number: Consent Order 07-022-A
Order Date: April 17, 2007
Respondent: **Carolina Pines Regional Medical Center**
Facility: Carolina Pines Regional Medical Center
Location/Mailing Address: 1304 S.C. Hwy 15
Hartsville, S.C. 29501

<u>County:</u>	Darlington
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	0820-0054
<u>Violations Cited:</u>	S.C. Code Ann § 48-1-110(d)

Summary: Carolina Pines Regional Medical Center, (Respondent) located in Hartsville, South Carolina, is a medical facility. The Respondent has violated S.C. Code Ann § 48-1-110(d), in that it failed to submit to the Department quarterly fuel usage reports for the first quarter 2006, second quarter 2006, and third quarter 2006, postmarked no later than the 30th day following the end of the reporting period, as required by its Permit.

Action: The Respondent has agreed to: submit fuel usage reports in accordance with the schedule established by its permit; and pay a civil penalty in the amount of three thousand dollars (**\$3,000.00**).

77)	<u>Order Type and Number:</u>	Consent Order 07-023-A
	<u>Order Date:</u>	April 20, 2007
	<u>Respondent:</u>	Paxar Corporation
	<u>Facility:</u>	Paxar Corporation
	<u>Location/Mailing Address:</u>	1595 Cedarline Dr. Rock Hill, S.C. 29730
	<u>County:</u>	York
	<u>Previous Orders:</u>	02-102-A (\$8,000.00)
	<u>Permit/ID Number:</u>	2440-0103
	<u>Violations Cited:</u>	U.S. EPA 40 CFR 63.7(a)(2) and 63.9(h), and South Carolina Air Pollution Control Regulation 61-62.63, Subpart A; U.S. EPA 40 CFR 63.3370, 63.3400, and 63.3400(e), and South Carolina Air Pollution Control Regulation 61-62.63, Subpart JJJJ; U.S. EPA 40 CFR 60.442 and 60.447(b) and (c), and South Carolina Air Pollution Control Regulation 61-62.60, Subpart RR; South Carolina Air Pollution Control Regulation 61-62.70.6(c); S.C. Code Ann. § 48-1-90(a); and S.C. Code Ann. § 48-1-110(d).

Summary: Paxar Corporation (Respondent), located in Rock Hill, South Carolina, manufactures pressure-sensitive colored-ink tapes for a wide variety of uses. The Respondent violated Federal and State Regulations and State Statutes as follows: failed to conduct an initial performance test to demonstrate compliance with the requirements of Subpart JJJJ; failed to demonstrate compliance with the emission standards of the Subpart JJJJ and Subpart RR; failed to submit semiannual compliance reports, semiannual volatile organic compound (VOC) non-exceedance reports, a quarterly VOC exceedance report, and semiannual temperature non-excursion reports; failed to submit a Notification of Compliance Status; and failed to submit a Title V Annual Compliance Certification.

Action: The Respondent has agreed to: submit certifications and reports as required by its permit and regulations; comply with the applicable emission standards; and pay a civil penalty in the amount of eighteen thousand dollars (**\$18,000.00**). The penalty has been paid.